

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

Erin Wilkening,

Civil No. 23-3143 (DWF/TNL)

Plaintiff,

v.

**ORDER ADOPTING REPORT  
AND RECOMMENDATION**

U.S. Department of Education, Justice  
Department Debt Collection Services,  
Nelnet, Experian, Equifax, and  
TransUnion,

Defendants.

This matter is before the Court on the Report and Recommendation of United States Magistrate Judge Tony N. Leung dated November 29, 2023 (Doc. No. 5). No objections have been filed to the Report and Recommendation in the time period permitted.

The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference. The Magistrate Judge recommended dismissing this action without prejudice under Rule 41(b) of the Federal Rules of Civil Procedure for failure to prosecute. Based upon the Report and Recommendation of the Magistrate Judge and upon all the files, records, and proceedings herein, the Court now enters the following:

**ORDER**

1. Magistrate Judge Tony N. Leung's November 29, 2023, Report and Recommendation (Doc. No. [5]) is **ADOPTED**.

2. This action is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: December 22, 2023

s/Donovan W. Frank  
DONOVAN W. FRANK  
United States District Judge